

Remarks

This Paper and Supplemental Declaration of Dr. Adel Sharif (hereafter *Supplemental Sharif Declaration*) are submitted in response to the Examiner's Interview dated September 9, 2010. This Paper is a supplement to the response filed on August 20, 2010. The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 23-2053.

Claims 42, 45-48, and 50-58 are pending. Claims 1-41, 43-44, 49, and 59-61 are canceled.

Attorney for Applicant would like to thank Examiner Fortuna for the courtesies extended during the Examiner's Interview held on September 9, 2010. During the Examiner's Interview, Examiner Fortuna indicated that claim 42 would be deemed allowable if the subject matter of claim 49 was added thereto. Present claim 42 recites the subject matter of claim 49 (claim 49 is now canceled). The indication of allowable subject matter is noted with thanks and gratitude.

Present claim 42 also recites sodium chloride as a solute, support for which is found at p. 41 line 29 through p. 42 line 5 of WO2005/012185 (the PCT publication of the present application).

The solutes recited in claim 42 do not cause membrane fouling. Per the Examiner's request, Applicant provides solubility data establishing that the solutes recited in present claim 42 do not form insoluble precipitates and therefore do not foul the membrane. See *Supplemental Sharif Declaration* ¶¶4-6 at Tab 1. Consequently, the addition of anti-scaling/anti-fouling agent directly to the second solution is counterintuitive in view of the *cited references* as previously presented in Applicant's response submitted on August 20, 2010.

As the *cited references* fail to disclose or suggest the claimed subject matter, Applicant respectfully submits the present claims are novel and nonobvious.

The Examiner is respectfully requested to reconsider the application in view of this Response, to withdraw the rejections, and forward the application to issuance.

Respectfully submitted,

Dated: September 24, 2010


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Tab 1